



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 03-637)

In re Application of:

Tom McCarthy et al.

Serial No.: 10/622,146

Filed: July 16, 2003

For: Method and Apparatus for Distributing  
Media in a Pay Per Play Architecture With  
Remote Playback

)  
)  
)  
)  
)  
)  
)

Group Art Unit: 2611

Examiner: Unassigned

Confirmation No. 1889

**TRANSMITTAL LETTER**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In regard to the above-identified patent application:

1. We are transmitting herewith the attached:

- A. Information Disclosure Statement (2 pages)
- B. Cited reference (7 pages)
- C. PTO-1449
- D. Return Postcard

2. With respect to additional fees:

A.  No additional fee is required.

B.  Attached is a check in the amount of \$ \_\_\_\_.

3. Please charge any additional fees or credit overpayments to the Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR 1.8 (FIRST CLASS MAIL): The undersigned hereby certifies that this Transmittal Letter and the document(s) as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5<sup>th</sup> day of August, 2005.

By:

  
Paul W. Churilla  
Reg. No. 47,495



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 03-637)

In re Application of: )  
Tom McCarthy et al. )  
Serial No.: 10/622,146 ) Group Art Unit: 2611  
Filed: July 16, 2003 ) Examiner: Unassigned  
For: Method and Apparatus for Distributing ) Confirmation No. 1889  
Media in a Pay Per Play Architecture with )  
Remote Playback )

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following references and information of record in the above-identified application. The references are also listed in the PTO-1449 form enclosed herewith. It is requested that the references and information be given careful consideration and that they be cited of record in the prosecution history of the present application. Pursuant to 37 C.F.R. § 1.98(d), copies of the U.S. patent references are not enclosed.

In the judgment of the undersigned, portions of the references may be material to the examination of the pending claims. No representation is intended as to the relative importance of

any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §§ 102 and 103.

#### CITED REFERENCES

##### U.S. Patent Documents:

<u>Patent No.</u>	<u>Date Issued</u>	<u>Inventor</u>	<u>Classification</u>
6,546,193	4/8/2003	Um et al.	386/94
4,682,248	7/21/1987	Schwartz	360/32
6,480,961	11/12/2002	Rajasekharan et al.	713/200
6,490,408	12/3/2002	Um et al.	386/94
6,470,138	10/22/2002	Um et al.	386/94

##### Other Documents:

International Search Report and the Written Opinion of the International Searching Authority for PCT application of Digital Networks North America, Inc., PCT/US04/22906, dated July 29, 2005.

#### CERTIFICATE UNDER 37 C.F.R. § 1.97(e)

Pursuant to 37 C.F.R. Section 1.97(e) the undersigned certifies that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff

Date: Aug. 5, 2005

By:

  
Paul W. Churilla  
Reg. No. 47,495

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

The undersigned hereby certifies that the foregoing INFORMATION DISCLOSURE STATEMENT is being deposited as first class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5<sup>th</sup> day of August, 2005.



Paul W. Churilla

FORM PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeINFORMATION DISCLOSURE  
STATEMENT BY APPLICANT  
(Use several sheets if necessary)

Atty. Docket No.

Serial No.

03-637

10/622,146

Applicant:  
Tom McCarthy et al.Filing Date:  
7/16/2003Group:  
2611

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
COS	6,546,193	4/8/2003	Um et al.	386	94	
COS	4,682,248	7/21/1987	Schwartz	360	32	
COS	6,480,961	11/12/2002	Rajasekharan et al.	713	200	
COS	6,490,408	12/3/2002	Um et al.	386	94	
COS	6,470,138	10/22/2002	Um et al.	386	94	

## FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		International Search report and the Written Opinion of the International Searching Authority for PCT application of Digital Networks North America, Inc., PCT/US04/22906, dated July 29, 2005.

EXAMINER /Cristina Owen Sherr/

DATE CONSIDERED

02/12/08

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.